

AMENDMENTS TO THE DRAWINGS

The attached drawing sheets include changes to Figs. 15 - 17.

Attachment: Replacement Sheets

REMARKS

In part 12 of the Office Action Summary, none of the boxes are checked. However, applicants filed a certified copy of the priority document on 16 January 2007. Therefore, the applicants respectfully request acknowledgement of the claim for priority under section 119 and notice that the certified copy of the priority document has been received.

Initially, for the reasons discussed below, applicants respectfully request that the examiner withdraw the holding of final rejection.

The claims of a new application may be finally rejected in the first Office action in those situations where (A) the new application is a continuing application of, or a substitute for, an earlier application, and (B) all claims of the new application (1) are drawn to the same invention claimed in the earlier application, and (2) would have been properly finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. (See MPEP 706.07(b) August 2001).

It is simply not plausible for the examiner to assert that "all claims are drawn to the same invention claimed in the earlier application" because the applicants amended claims 1 and 12, and added new claims 13 - 16 in the previous response. For example, claim 1 was amended to recite an insert attachable to an insert magazine of a tray for holding an area array type electronic component to be tested. Therefore, the claims presented in the previous response were not drawn to the same invention as the response submitted on 13 April 2006. Accordingly, it is respectfully requested that the Examiner withdraw the final rejection as being premature.

In the alternative, it is respectfully requested that the present amendment be entered because it places the application in condition for allowance.

The applicants have included a corrected listing of the claims that shows claims 10 - 11 as being canceled without prejudice.

Figures 15 - 17 have been amended to include the legend --Prior Art-- as requested by the examiner.

The examiner has objected to the amended title for allegedly not being descriptive. The applicant has accordingly amended the title to recite the invention in more detail. Particularly, the amended title now includes language from the preamble of claim 1. Therefore, the objection to the title should be withdrawn. The examiner is encouraged to suggest a title if the present amended title is not satisfactory.

Claims 1 - 9 and 12 - 16 are pending. Claims 10 - 11 have been canceled without prejudice or disclaimer. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

Claims 1 - 7, 9, 12 and 15 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,439,897 to Ikeya. The applicants respectfully request that this rejection be withdrawn for the following reasons.

As discussed in the previous response, Ikeya is a 102(e) type reference because its date of issuance (August 27, 2002) is after the effective U.S. filing date of the present application (August 20, 2002; the filing date of International Application No. PCT/JP02/08378 from which the present application claims continuation status).

The examiner indicated that the applicants cannot rely upon the foreign priority papers because a certified copy and translation of the papers have not been made of record. However, the applicants submitted a certified copy of the priority document on 16 January 2007. Further,

the applicants have submitted a verified translation of the priority document concurrently with the present amendment.

Therefore, because the applicants have perfected priority under 35 U.S.C. 119(a), it is respectfully requested that the rejection of claims 1 - 7, 9, 12 and 15 be withdrawn.

Claims 8, 13, 14 and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,439,897 to Ikeya. Because the applicants have perfected priority under 35 U.S.C. 119(a), it is respectfully requested that the rejection of claims 8, 13, 14 and 16 be withdrawn.

In view of the foregoing, the applicants submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

If there are any problems with the payment of fees, please charge any underpayments and credit any overpayments to Deposit Account No. 50-1147.

Respectfully submitted,

A handwritten signature in black ink, reading "Kerry S. Culpepper". The signature is written in a cursive, flowing style with a horizontal line underneath the name.

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